

A
SUPPLEMENT

TO THE

Serious consideration of the Oath of the
KINGS Supremacy ; Publi-
shed October 1660.

IN,

First, Some consideration

OF THE

Oath of Allegiance.

Secondly, Vindicating of the considera-
tion of the Oaths of the Kings Supremacy and
Allegiance, from the exceptions of *Richard Hubber-*
shorn, Samuel Fisher, Samuel Hodgkin, and some others
against them, in the points of swearing in some case, and
the matters of those Oaths.

By John Tombes B. D.

Mat. 22. 21. *Render therefore to Caesar the things that are Ca-*
sars, and to God the things that are Gods.

March 2^d

L O N D O N,

Printed by Henry Hills, living in *Aldersgate-street* next
door to the sign of the *Peacock*.

SUPPLEMENT

TO THE

SEVERAL CONSIDERATIONS OF THE OATH OF THE
KING'S SUPREMACY: PUBLISHED
THE 10th OCTOBER 1680.



OATH OF ALLEGIANCE.

Secondly, Vindicating of the considera-
tion of the Oaths of the Kings Supremacy and
Allegiance, from the exceptions of Richard Hooker
and Samuel Fisher, Samuel Hilditch and others
who have been in the point of being so concerned, and
the manner of those Oaths.

By John Trenchard B. D.

Printed by H. K. and W. B. for C. and J. B. at the
sign, and is sold the things that are sold.

L O N D O N.

Printed by H. K. and W. B. living in Aldersgate Street near
door to the sign of the Pinner.

To the Christian Readers.

To the Christian Reader.

thers, and fasten them to their party, though it be for the most part but a frivolous imputation, and a gross calumny. Antichristianism according to the Apostle John, (who only of all the holy Writers, useth the term Antichrist) being a greater matter then some errors, or evil in some points of practice, to wit, a denial of the father and the son, 1 John 2. 22, 23. not confessing Jesus Christ come in the flesh, 1 John 4. 3, 4. 2 John 7. of which sort my defending the lawfulness of some swearing is not. And to omit his nonsense, in saying, the doctrine of Christ and his Apostles is justified against swearing, meaning my doctrine of swearing, where he saith, that it is there proved according to the Scriptures, that all my six Propositions for the lawfulness of swearing, are both against Christ and his Apostles doctrine; It must needs be false, sith he hath not brought any Scriptures against the three last Propositions. As for his Epistle to me, that which he insinuates by his expostulations with me, of dividing my self from mine own people, of teaching people to swear first one way, and then another; of my being long a hiding my self under so many false covers, is the foam and froth of his railing spirit; of which he, and others of the Quakers, seem by their frequent venting reproaches, unjust censurings and revilings, to have gotten an habit, and are more like Antichristianism, then any of my doctrines, who preach not up that which Christ and his Apostles deny, but endeavour to clear their words from mistake. Nor was my writing indigested, as if God did not brook it, though I confessed, in respect of the composure of it, there was want of such accurate digesting, that is, framing in respect of words, method and matter, as the thing required, by reason of my shortness of time, and yet there was no cause for Samuel Fisher to term it a toy, as he doth in the margin of his Epistle to the Reader, before his impetuous, though impotent book, intitled the Rusticks alarm to the Rabbies, so terming Dr. Owen, Mr. Danson, Mr. Richard Baxter, and my self. I confess I had an intention (and began to draw up a writing to that purpose) to publish a fuller Treatise about swearing, having in Catechetical Lectures, somewhat largely handled the general nature of an Oath, the several forms and rites of swearing, the lawfulness of swearing, the sorts of Oaths, the rules, obligation, urging, dispensation of Oaths: But my late continual molestations, imprisonment, restraint from my Ministry in the place where I was seated thirty years before, and the uncertainty of my dwelling, have hindered me from
prosecu-

To the Christian Reader.

prosecuting thereof, and other works, which I hoped to accomplish for publique good: nor am I yet secured from the like molestation and uncertainties, and therefore know not what I shall do, or resolve to do therein. Wherefore I have, being requested thereto, published this little Supplement, whereby my aim is to benefit others, though I find (as I have always done) the clearing of truth in this, to have occasioned many hard censures of me, and much injury to me, which the Lord forgive. Yet I hope I shall truly say with the Apostle, 2 Cor. 12. 15. And I will very gladly spend and be spent for you, though the more I love you, the less I be loved. As for those that find any benefit by my labors in this matter, or any other, I request them that they would return thanks to God for it; and that all would in their prayers to God for me, help me, who am

London, March 6. 1660.



Their brother and
servant in Christ,

JOHN TOMBES.

86
The Oath of Obédience in the Act for discovery
and reprelsing Popish Recusants, 30. of Jac.
c. 4. commonly called the Oath of ALLE-
GIANCE.

IA B. doe truly and sincerely acknowledge, profess,
testifie and declare in my Conscience before God
and the world; that our Sovereign Lord King
JAMES, is lawful and rightful King of this
Realm, and of all other his Majesties Dominions and
Countrie; and that the Pope, neither of himself, nor
by any authority of the Church or See of Rome, or by
any other means with any other, hath any power or au-
thority, to depose the King, or to dispose any of his
Majesties Kingdomes or Dominions, or to authorize
any forein Prince to invade or annoy him, or his
Countrie, or to discharge any of his subjects of their
Allegiance and Obedience to his Majesty, or to give li-
cence or leave to any of them to bear Arms, raise tu-
mults, or to offer any violence or hurt to his Majesties
Royal Person, State or Government, or to any of
his Majesties subjects within his Majesties Domini-
ons. Also I do swear from my heart, that notwith-
standing any declaration or sentence of Excommunica-
tion or deprivation made or granted, or to be made or
granted by the Pope or his successors, or by any autho-
rity, derived, or pretended to be derived from him or
his See, against the said King, his heirs or successors, or
any absolution of the said subjects from their obedience:
I will bear Faith and true Allegiance to his Majesty,
his heirs and successors, and him and them will defend
to the uttermost of my power, against all conspiracies
and attempts whatsoever, which shall be made against
his or their persons, their Crown and Dignity, by rea-
son or colour of any such sentence or declaration, or
otherwise, and will do my best endeavour to disclose,
and make known unto his Majesty, his heirs and suc-
cessors,

cessors, all treasons and traiterous conspiracies, which
I shall know or hear of, to be against him or any of
them. And I do further swear, that I do from my
heart abhor, detest and abjure as impious and hereti-
cal, this damnable doctrine and position, That Prin-
ces which be excommunicated or deposed by the Pope,
may be deposed or murdered by their subjects, or any
other whatsoever. And I do believe, and in con-
science am resolved, that neither the Pope, nor any
person whatsoever, hath power to absolve me of
this Oath, or any part thereof, which I acknowledge
by good and full authority, to be lawfully ministered un-
to me, and do renounce all pardons and dispensations
to the contrary. And all these things I do plainly and
sincerely acknowledge and swear, according to these
express words by me spoken, and according to the plain
and common sense, and understanding of the same
words, without any equivocation, or mental evasion, or
secret reservation whatsoever. And I do make this
recognition and acknowledgement heartily, willingly
and truly, upon the true faith of a Christian.

So help me God.



The

1615. by King James his special priviledge and command, p. 27. is thus said. The matter or main subject of this Oath, which is the principal thing whereof I conceive you desire to have a more distinct and full understanding, may to this purpose be resolved into these ensuing assertions.

1. Our Sovereign Lord King James, is the lawful King of this Kingdom, and of all other his Majesties Dominions and Countries.

2. The Pope neither by his own authority, nor by any other authority of the Church, or of the See of Rome, nor by any other means, with any others help can depose his Majesty.

3. The Pope cannot dispose of any of his Majesties Kingdoms and Dominions.

4. The Pope cannot give authority to any forraign Prince to invade his Dominions.

5. The Pope cannot discharge his subjects of their allegiance unto his majesty.

6. The Pope cannot give licence to one or more of his subjects to bear arms against him.

7. The Pope cannot give leave to any of his subjects to offer violence unto his Royal person, or to his Government, or to any of his Majesties subjects.

8. Although the Pope shall by sentence excommunicate or depose his Majesty, or absolve his subjects from their obedience, notwithstanding they are to bear faith and true allegiance unto his Majesty.

9. If the Pope shall by sentence excommunicate or depose his Majesty; nevertheless his subjects are bound to defend his Person and Crown against all attempts and conspiracies whatsoever.

10. If the Pope shall give out any sentence of excommunication or deprivation against his Majesty; notwithstanding his subjects are bound to reveal all conspiracies and treasons against his Majesty, which shall come to their hearing and knowledge.

11. It is heretical and detestable to hold, That Princes being excommunicate by the Pope, may be deposed or murdered by their subjects, or any other.

12. The Pope hath not power to absolve his Majesties subjects from their oath of allegiance, or any part thereof.

When Cardinal Bellarmine disguised under the name of *Mathias Tortus*, as his Chaplain took upon him to reply to King James

James his Apology for the Oath of Allegiance, and would have it believed, that by that Oath was intended the denying the Popes Ecclesiastical power, which he claims, and is with Papists an Article of their Faith; *Lancelot Andrews* then Bishop of *Chichester*, after of *Ely* and *Winchester*, then very eminent for his learning and repute at Court, answers him in his book intituled *Tortura Torri*, in words in Latin, which I have Englished thus.

Art thou well in thy wits who babblest these things? That thou an *Italian*, ignorant of our language, shouldst understand the Oath, that the Author who is skilled in the language, as being his own, native, proper, should not understand it? Whence art thou to us a new interpreter of Laws? yea whence art thou an interpreter of our Laws, which thou didst not make? It belongs verily to them to interpret to whom it belongs to make Laws; yet I say not that only, but this also. Is there for this reason any mortal man that understands the intention of the Law, and the Law-maker himself, (for the same person was author of the Law and of the book, nor wast thou ignorant of this) the Law-maker (I say) himself, should not understand his intention concerning his Law? Thou wilt never bring it to pass, that he should be ignorant of that which he himself would to himself, when he made the Law, when he made the Oath. He is best privy to his own intention. But his intention was that he might be secure of the fidelity and constancy of his own subjects, yea this was his only intention, no other man knows this, (for the hearts of men he knows not) only he who hath known the Law, knows what he requires in his Law.

King *James* in his *Catalogue of Tortus lies*, at the end of his premonition to all *Christian Princes*, saith, The Puritans do not decline the Oath of Supremacy, but do daily take it, neither ever refused it. And the same Supremacy is defended by *Calvin* himself, *Instit. lib. 4. cap. 20.*

Bishop *Andrews* in the book forenamed, p. 110. The Puritans of their own accord take the Oath of Supremacy, and have often professed, and that in books published by themselves, that this is a meer calumny, that they abhor the Oath of Supremacy, neither did they ever decline that Oath. But if there were at any time any scruple in them, it was about the term, it was not about the thing. The head of the Church sith it is said of Christ, seemed to them a higher title, then that it might be given to any mortal

man : so for a while they stuck at the giving that title, now they stick not : Concerning the thing it self, concerning the Kingly authority they have always fully professed.

Quakers do inveigh against my book, intituled *A serious consideration of the Oath of the Kings Supremacy*, because it defends the lawfulness of some swearing, yet Samuel Fisher in his book, intituled *The Rusticks alarm to the Rabbies*, Exercit. I. chap. 3. p. 48. saith, I should (God knows) please myself much more to sit down in silence. p. 61. I affirm here before God and all men ; and the humble petition of some called Anabaptists, prisoners in Maidstone, dated January 25. saith thus ; Yet (God is our witness, who is the searcher of all hearts) we deny not this Oath, because we would not yield due subjection and obedience unto thee and thy authority ; for this we say, in the presence of him that shall judge the quick and the dead, we do without any deceit, promise to live peaceably under thy Government, and in case any thing should be by thee commanded in spiritual matters, wherein we cannot obey, we shall not then take up any carnal or temporal weapon against thee or thy authority, but patiently suffer such punishment as shall be inflicted on us for our consciences. But the using of these speeches [God knowes, I affirm before God, God is our witness, this we say in the presence of him that shall judge the quick and dead] as an appeal to Gods contestation, is plain swearing. So that while these men, and more of the same mind do speak against all swearing, they indeed practice some swearing. And those of Maidstone, who offer an engagement taken before some Justice of the Peace in a solemn manner, with calling God to witness of the truth of what they say, do offer to swear or take an oath. The lawfulness of which, and particularly the Oaths of Supremacy and Allegiance, and my writing about the former, I shall now endeavour to vindicate from the writings and sayings against them, which have occurred to me.

Richard Hubberthorn having recited my first Argument for my first Proposition, thus, That is not wholly evil, about the use of which some directions are given by God ; but God giveth directions about the use of swearing, Jer. 4. 2. Ergo : Answers, By the same argument may it as well be proved, that the Christians and believers in Christ may be circumcised, offer incense, burnt offerings and sacrifices, because for the use of it God gave some directions, and therefore it is lawful. But as circumcision, incense, burnt offerings and sacrifices of the law, is ended in Christ ; so is the oath which was
among

among the Jews, in him ended also to the believers, and by him forbidden: for as it was said in old time thou shalt swear, and shalt perform thy oath to the Lord; but Christ in the 5. of Mat. making mention of the Jews oath which God gave once direction for, yet saith, Swear not at all. Here Christ puts an end, not only to frivolous & vain oaths, but to the true oaths, which the Jews was once commanded of God to swear, for these oaths are they which Christs words hath relation to, for he came to end the Jews worships and oaths, who is the oath of God. Christ the truth and righteousness of God saith, Swear not at all, which ends the Jewes which was to swear in truth and righteousness.

To which I reply, Had not *Samuel Fisher* told me in the place forementioned, that my book is answered by *Richard Hubberthorn*, I should not have thought it worth while to reply to it, there being in it so much defect of sense and reason, as makes it inconsiderable: But sith he mentions my book, as scarce worth any further answer then that of *Hubberthorn*, it seems he esteems it of some moment. And therefore I say, that 1. *Richard Hubberthorn* leaves out of the proof of my minor [as in the third Commandment (which is undoubtedly moral)] which words shew that I mean my major proposition of moral actions. 2. He supposeth that swearing allowed by God in the Old Testament, which Christ corrects, was not only frivolous and vain oaths, but the true oaths which the Jews were commanded, and Christ was to end, who is Gods oath. But he considers not that swearing was common to all Nations, as *Philistines*, Gen. 21. 31. & 26. 28. *Syrians*, Gen. 31. 53, &c. Nor is Christ any where termed in Scripture, Gods oath, nor an oath made worship peculiar to the Jews, nor a shadow or ceremony which might typifie Christ. Now my major proposition being (as the words shew I understood it) thus expressed, [That action belonging to manners, common to all Nations, and not proper to the Jews, about the use of which God giveth some directions, is not wholly evil] is firm and unshaken by the instances of *R. H.* which are not of moral, but ceremonial Rites, which ended in Christ, but not so the moral commandment, of which sort swearing is, and so may be lawful.

2. To my second Argument, from *Psal. 63. 11.* his answer is, Only that *David* was in the old covenant of the law, but Christ in the new Covenant bids, Swear not at all.

Here to I reply, This answer presupposeth that an oath was ap-

propriated to the Covenant of the law. But this is false, sith it was, in other Nations besides Israelites, customary to swear even before the law, as the instances in *Genesis* and elsewhere shew. As for his slings at *hiring Priests and hypocrites*, I let them pass as being only reviling, in general terms, in which is commonly guile & slander. To the instances which I bring for the lawfulness of some swearing, and urging to swear out of the Old Testament, he saith, *all these were under the first Covenant, and in that which Christ called the old time, Mat. 5. and proves nothing that Christians in the new Covenant should swear.* To which I reply, 1. *Abraham, Isaac, Jacob, Joseph*, were before the law, and they took oaths of Nations which were not under the law. 2. In moral things the commands and examples of the old Testament, are rules to us still, *Mat. 7. 12. Rom. 13. 8, 9. Ephes. 6. 1, 2. James 2. 8, 10, 11.*

Nor doth he say any thing to the Angels swearing, *Rev. 10. 6.* but this, *that Christ saith, Swear not at all*, which doth not at all avoid the objection, that the Angel knew Christs words do not forbid all swearing, otherwise he would not have sworn at all.

But to the instances of *Pauls* adjuring and swearing, he writes somewhat more. To the allegation of *1 Thes. 5. 27.* where the word signifies, *I swear you by the Lord*, he saith, 1. *This is the long and thick mist of darkness, which hath been long kept over the understandings of people, that when the plain Scripture will not prove their ends and intents, then they tell the people it is otherwise in the Greek or Hebrew.* I reply, 1. It is no darkning of peoples understandings by latter translations, to mend or to adde to former translations, sith as in all other Writings and Arts, *Dies diem docet, One day teacheth another*; latter Commentators and Interpreters without arrogancy, refine former. Nor doth this darken, but inlighten mens understandings, nor give any occasion to doubt of the faithfulness of former Translators, but only shews the imperfection of their knowledge. Nor is there any just cause why for this reason men should waver in their faith, the main doctrines of faith and manners being by common consent expressed either in the same words, or words of the same meaning, and if any should deprave them, the variety of Copies and translations would remedy it.

2. Saith *Hubberthorn*, Did not the Translator of the Bible understand Greek as well as John Tombes? *A. sw.* Yes, and as John Tombes understood it, which he told his

his Reader, that the Greek word was translated, *I charge you by the Lord*, or *adjure* you as it is in the margin.

3. Saith he, *Or are we not to believe the Scripture, as it speaks, till again it be translated by him?*

Ans. Yes no doubt, and this place the rather, because it is translated by him no otherwise then by the Translators, only the word [*adjure*] which is made an English word out of the Latin, is explained, by, *I swear you by the Lord, I urge, or put an oath on you by the Lord*, or as *Samuel Fisher* saith, it signifies, *I bind you by oath*:

4. Saith he, *It is I oblige or charge you in the presence of God, &c.* I reply, it is, *I charge or oblige you by oath or swearing*, not only in the presence of God, but also by the Lord.

5. Saith he, *seeing John Tombes saith he swore them, he might have declared in what manner they were sworn, seeing Paul was at Athens when he wrote to Thessalonica.*

I reply, He might understand how Paul at Athens could swear them at Thessalonica, if he understood how Saul charged by oath, or adjured, or bound by oath the people and Jonathan his son, though absent and ignorant, *1 Sam. 14. 24, 28, 42.*

6. Saith he, *John Tombes makes the like charge to be in 1 Tim. 6. 13. which according to the Greek he would make an oath; but it is I injoin or command thee before God, not putting an oath on them, or causing them to swear: And 2 Tim. 4. 1. not that he took him sworn, or put an oath on him, but did charge him.*

I reply, I said not they were the same, but like charges, yet differing, 1. In that the word *ἐπιτίθημι*, *1 Thes. 5. 27.* doth expressly include an oath, or swearing, which I confess *παράσχω* I command or injoin doth not, yet *διαμαρτυρομαι* I witness before God, *2 Tim. 4. 1.* doth come near it. 2. That *1 Thes. 5. 27. ἐπιτίθημι* *ἐν κυρίου ὀνόματι* in the accusative case, cannot be understood any otherwise then thus [by the Lord] which is a form of swearing more plain then that, *2 Tim. 4. 1.* though it be like it. But *Samuel Fisher* saith, nor doth John Tombes insisting on the Greek word *ἐπιτίθημι* *1 Thes. 5. 27.* add a jot to his proof; for howbeit it is ordinarily us'd to signifie to adjure or bind one by oath, yet (being as some suppose of *ἐργω* to confine, or (as some) of *ὅρος* a bound or limit) it originally signifies to bind, limit, confine, oblige any way by word or promise, as well as oath. And J. T. confessing Pauls charge in that place, and *1 Tim. 6. 13. 2 Tim. 4. 1.* to be alike, therein

confutes

confutes himself however. For the words *μαρτυροῦμαι* and *μαρτυροῦμαι* there used, are no more then to engage before some witness (God or man) or solemnly to command or charge, and not to swear one, and cannot be taken so strictly as to adjure, though *μαρτυροῦμαι* may be taken in the moderate sense, i. e. any way to oblige, as well as in that rigid way of swearing.

I reply, That the rule of expounding or interpreting words, is not the derivation of the word, which often is very uncertain, but the use (which is *Vis & norma loquendi*, the force and rule of speaking) and there being no instance given by him of any place, where it is used in any author of obliging, in his moderate sense, without an oath, and he confessing that, it is ordinarily used to signify to adjure or bind by oath, and it being I charge or adjure by the Lord, it can be taken in no other sense then swearing or binding by oath; nor doth my alledging 1 Tim. 6. 13. 2 Tim. 4. 1. as like charges, abate any whit the force of my proof, sith I do not call them the same, or the one as exprefs for charging by oath, as the other.

In my fourth Argument I alledged, 2 Cor. 1. 18, 23. and 11. 31. and 12. 19. 1 Cor. 15. 31. to prove the use of swearing by Paul in Gospel-times. To the first only Richard Hubberthorn saith thus, Now those that minds this Scripture, may see that Paul doth only justifie Christs words in keeping to yea and nay, saying, that with him it was not yea and nay, for saith he, ver. 18. but as God is true, our word towards you was not yea and nay. And ver. 19. for the son of God, Jesus Christ, who was preached among you by us, even by me and Silvanus, and Timotheus, was not yea and nay, for all the promises of God in him are yea, and in him Amen. So that this Scripture is so far from bringing people to oaths and swearing, that he labours to bring them all to yea and nay in all things, and so to Christ the substance, in whom all the promises of God are yea; so that the Apostle might well use these words, that as God was true, &c. so also were they true to their yea and nay, the end of all oaths.

I reply. 1. Richard Hubberthorn in all this his pretended answer doth not deny, the expressions 2 Cor. 1. 18. As God is true, 2 Cor. 1. 23. I call God for a record upon (or against) my soul, 2 Cor. 11. 31. The God and Father of our Lord Jesus Christ, which is blessed for evermore, knoweth that I lie not, 2 Cor. 12. 19. we speak before God in Christ, to be forms of swearing. Surely the expression

expression, 2 Cor. 1. 23. *I call God for record*, is so plain an appealing to Gods testimony, which is the definition of an oath by attestation or contestation of God as true, and upon or against my soul, by pawning or wishing a curse to himself, if he spake not true, and so appealing to God, not only as *Faster* or *Witness*, but also as *Vindex*, the *Avenge* or *Judge*, if he spake not true, that I find few or no expressions of swearing, more full then this, and therefore do thence infer irrefragably, that Paul did swear, and consequently, that he did not conceive Christ forbade all swearing, and therefore it is but his conceit, that the prescribing yea and nay, Mat. 5. 37. was to put an end of all oaths. 2. Whereas he saith, *That this Scripture labours to bring them to yea and nay in all things*, and that Paul doth only justify Christs words in keeping to yea and nay, it is so far from being true, that if the expressions of [yea and nay] were meant of using those words without swearing, as R. H. doth vainly imagin, the Apostle would be so far from bringing them to yea and nay in all things, and justifying Christs words in keeping to yea and nay, that he should indeed do the contrary, forasmuch as he saith, *Our word towards you was not yea and nay*, and, the son of God, Jesus Christ, who was preached among you by us, was not yea and nay. I know the meaning of the speech, *Our word towards you was not yea and nay*, is not about the using of these terms, yea and nay, but of the constancy of his speech and actions, as I express in my *Serious Consideration*, p. 16. But I only shew the silliness of Richard Hubberts talk, with what he alledgeth, if understood as he seems to understand it, would make against him. But Samuel Fisher against my allegation of 2 Cor. 1. 23. saith thus, *And as for his saying it is a particle of swearing, I say it is not necessarily so, but of affirming only as quidem, profecto, truly, verily, &c.* And however where Paul uses it, in 2 Cor. 1. 23. he does not swear (as J. T. divine he did) for saith he, and all confess, none are to swear by any but God alone; Pauls swearing here (had it been an oath) had been unlawful, it being not by God, but by his and the Corinthians testimony. To which I reply, 1. Grammarians make a particle of swearing, nor hath S. P. shewed any instance, where having an Accusative Case after it, as here, it is a particle of affirming without swearing, and until he do so, it is necessarily here a particle of swearing. Nor is it against the Confession, That none are to swear

by any but God only. For in this oath he swears by God, when he swears by his and the Cerinthians rejoicing, it being an oath by oppignoration, pawning, or execration, in which God is appealed to as Judge, or avenger, as well as witness, by pawning to him, and wishing the forfeiture of his rejoicing, or glorying in Christ Jesus, if what he saith were not true; as when we say, On my salvation it is so; as God help me, &c. which I hope to clear more fully, if ever I finish and publish my fuller Treatise about swearing, forementioned. Hitherto Samuel Fisher's opposition hath confirmed my Arguments against himself. I return to Richard Hubbert's.

To my alledging to prove Paul's swearing, Rom. 1. 9. & 9. 1. Gal. 1. 20. Phil. 1. 8. Richard Hubbert thus saith, Is this a proof for men to swear and take oaths for men, or against men? hath not the man here lost the understanding of a man? thus to compare and call this the Apostles oath, when he takes God to witness, that he prays for the Saints continually; is this an oath to testify the truth of his writing against liars? Indeed this we desire, that John Tombs, and the rest of the Priests in this Nation, would write nothing but what God would witness unto the truth of; and that they would speak truth, and not lie; then they would not thus abuse the Apostles words, when as the Apostles intend no such thing in their words here asserted. And whereas it is again said, that the Apostle took an oath, Phil. 1. 8. Now let all honest and sober hearted men consider, whether the truth of God and the Apostles that speak at forth, be not abused, that from a Novice that is lifted up in pride, and would do or say any thing for his hire, should bring those Scriptures to plead for swearing, and that lawfulness of oaths; in all which the Apostle took God to witness his love to the Saints, and labour in the work of his Ministry, signifying what all understand how that he spoke the truth, and did not lie, and kept to his yea and nay, according to Christs doctrine (and did not swear at all.)

I reply, 1. Those Texts were not brought by me as a proof for men to swear and take oaths for men or against men, but to prove that some swearing in Gospel-times may be lawful, with the Apostle Paul, a man moved by the holy spirit, even in his holy writings and speeches did swear: which is enough against R. H. and his complices, who deny any swearing lawful in any case. 2. I say, that these speeches [God is my witness, I speak the truth in Christ, I lie not, my conscience, not bearing me witness in the Holy Ghost, behold,

Behold, before God I lie not, God is my record] are forms of swearing, it being the definition of an oath, which all Writers that I know of agree in, that an oath is an appeal to, or invocation of God, as joint witness with us of the truth of our speeches, and therefore in this I write nothing, but what God will witness the truth of, I speak truth before God, without abusing the Apostles words in pleading for the lawfulness of some swearing; and in this I dare stand to the arbitrement of sober, honest-hearted, intelligent men, not fearing the censure of R. H. as if I were a Novice, who have been a professor of Christianity above forty years, and a Preacher of the Gospel above thirty, and wish R. H. do not accuse me as lifted up with pride, with the like spirit as it is said, that *Diogenes* trampled on *Plato's* pride with greater pride, there being not many branches of pride greater then this, to take on him to judge the secrets of anothers heart, and to foretel what he will do, it being to behave himself as if he were God. Sure they that know me, and judge of me with a charitable mind, they that have had experience of my adventures and losses for asserting truth, will not believe R. H. in what he here suggests, that I would do or say any thing for hire, Who would thank R. H. if he would shew what hire I have taken, which the words of Christ and his Apostle allow not, *Luke 10. 7. 1 Cor. 9. 7, 10, 11, 13, 14. 1 Tim. 3. 17, 18. Gal. 6. 6.* But if he think his tongue is his own, that he may accuse and reproach at his pleasure, I think it my duty to tell him, that his practice is rayling and false accusing; and that his tongue is set on fire of hell, and that without repentance he shall not inherit the kingdom of God, *1 Cor. 6. 9, 10.* He proceeds in the same vein of reviling, censuring and false accusing in his speech of my fifth Argument, to which he makes no answer but this; That to break Christs command is of no necessary use; that I might as well have stated my Argument, That to break Christs command is of benefit to humane society, therefore to break Christs command is lawful, &c. and might thus have proved it, that except we break Christs command, we cannot preach for hire, nor sue men at law for riches, nor live in pride, ease and vanity, nor keep our places of profit and benefits, which is necessary for our Society of Priests, Ergo. But we whose eyes God hath opened, do see that all his book tends to perswading of people to swear when Christ hath said, Swear not at all, and that which he would now swear for again, would swear against for the same advantage and profits which he hath in his eye, yea, or he

would persuade all men not to swear, and bring scripture to prove it upon the same account; so that what he doth in this kind, is because of advantage: for two years since he did not preach this doctrine, nor use those arguments.

I To which I reply, The Lord rebuke thee: there's none of thy accusations or divinations here, after thy rayling fashion, brought by thee, which thou canst prove by me, and those that know me, know it to be false which thou suggests concerning my seeking gain, and suiting my actions thereto, and changing my doctrine. There is no doctrine in that book thou here opposeth, or the other of the insufficiency of light in each man, which hath not been my constant doctrine. What thou wouldst have imagined as if no swearing were of necessary use to humane society, is contrary to all experience of governors of Kingdoms and Commonwealths, and the Apostles words alledged by me, *Heb. 6. 16. An oath for confirmation is to men an end of all strife.* That which Samuel Fisher saith, *That what swearing was then allowed of, (as before a ruler it then was to end a strife among men, who are yet in strife.) is now unlawful among his Saints, who are redeemed out of strife, and the rest of those fleshly works, which it is one of, Gal. 5. is a silly shift.* For, 1. The Saints are men. 2. Those of the old Testament were Saints, and yet were to swear. 3. If men, not Saints, may swear to end strife, then it is not prohibited by Christ to them to swear in some cases, and, sith the precept of not swearing is not limited to Saints, if others may swear in some cases, notwithstanding that precept, Saints may swear also. 4. Saints are redeemed from other works of the flesh, yet are not so redeemed, but that they may have envyings, wrath, emulations. However Quakers imagine themselves perfect, yet the Scripture doth not say, that the most eminent Saint is so redeemed out of strife, but that he may be tempted to, and guilty of some unlawfull strife, while he is in the body. 5. There was strife between Paul and Barnabas, *Acts 15. 39. Paul and Peter, Gal. 2. 11. the Corinthians, 1 Cor. 1. 11. Who were termed Saints, ver. 2.* 6. Quakers are guilty of strifes in opposing Preachers and reviling dissenters from them, and therefore if it be necessary to end strifes of men, that there be oaths, it is also necessary to swear to end strifes with them. Do not they seek to recover stolen goods, due debts? and if so, oaths are necessary for them. 7. Oftimes Saints are found so guilty of contentions among themselves, that, were not Magistrates im-

powred

powred to compose them, they would be endless and remediless. The story of the libels brought to *Constantine* the great at the *Niceene* Council, of one Bishop and Confessour against another, and burnt by him, shewes, how ill it would fare with the best Saints, if Magistracy did not quiet them. Our own times have had too much experience of this. 8. Saints live among men unholy, to whom they owe duties of love and righteousness, which cannot be done without testifying the truth in many cases, wherein they differ, to end their strife; and therefore Saints are bound, when the laws require oaths, and they are the only witnesses to give in evidence, out of charity and justice to swear for ending of strife.

Richard Hubberthorn addes something against what I argue in proof of the fourth Proposition, omitting any shew of answer to my sixth Argument for my first Proposition, and passing over the second and third. I alledged to prove this Proposition, [*That the King is the only supreme Governor in all his Dominions*] the example and rule of Christ, *Mat. 22. 21. 1 Tim. 6. 13. Luke 2. 51.* which he saith, I bring to prove an oath of Supremacy to King *Cæsar*; which is not true, it being brought to prove a supremacy over all persons, not an oath of supremacy, and so all his answer is impertinent. The Argument stands good. Christ himself did acknowledge subjection to *Cæsar*; and his parents, therefore no Prelate is exempt from the Kings government.

Richard Hubberthorn addes; *John Tombes* saith, *That Paul a Saint was subject to the judgement of Cæsar, and appealed to him, then he acknowledged him supreme, &c. Ergo. Ans. Paul was a prisoner for the word of God, and testimony of Jesus, and appealed to Cæsar for justice, because he was unjustly accused, and had not done any thing worthy of bonds or of death; therefore according to their law he ought to be set free; but Paul did not call Cæsar the Supreme Head of the Church, and chief Ruler in Ecclesiastical things, for if Cæsar had been the supreme Head of the Church, of which Paul was a member, he would but have needed little appealing unto for setting him at liberty; but in such Arguments as Tombes hath used, is manifest the ignorance of foolish men, wherein their folly appeareth to all men, as the Scripture saith, 2 Tim. 3. 9.*

I reply, 'Tis true, I alledged *Pauls* example, *Acts 25. 8, 10.* to prove the King Supreme Governor over all persons in his Dominions, and *Acts 23. 29. and 24. 5, 6, 8, 10. and 25. 8, 11, 19, 21. and 26. 2, 3.* to prove him Governor in all Causes, or

Chief Ruler in Ecclesiastical things, not to prove *Cæsar Supreme Head of the Church*, as *R. H.* misrepresents me. Now he shews not any defect in my proof taken from matter of fact related in the Text, but tels us, *If Cæsar had been Supreme Head of the Church, of which Paul was a member, he would have needed little appealing*, which is to alter the conclusion, and to say nothing to that point which was in question, nor to answer the proof at all, which all that know the rules of arguing know to be ridiculous, and indeed very foolish.

Speeding no better in answering my Arguments, *R. H.* proceeds to his wonted course of invectives against my person, which I am necessitated to take notice of, because they are impediments to many, of receiving the truth I teach, and do so fill people with prejudice, that their ears are stopped from hearkning to the clearest demonstrations, and they are carried away with the vain conceits of Quakers, and other blind guides. He tels me, *That my Ministry if received would beget men from their holy and harmless state into transgression of Christs command, and from the tenderness of conscience into hardness of heart, and faith*, When I say the Oath of Supremacy was imposed for excluding of the Popes jurisdiction, &c. if so, why dost thou preach it up to be imposed upon the holy, harmless, godly Christians, who are redeemed from the Popes power and jurisdiction, that I am a miserable comforter to tender consciences, that my end is seen, and therefore cannot deceive many, that those holy persons who are tender of an oath, ought to be my teachers, who am far from righteousness or tenderness of conscience, that it is a shame for me to be an imposer of oaths upon tender consciences, who profess myself a Minister of Christ, that it is manifest my Ministry is to bring people into condemnation, in which he falsely accuseth me, that I am an imposer of oaths upon tender consciences, that I preach it up to be imposed upon the holy, harmless, godly Christians, because to free them from the snare, which the Law of the Land brings them into by reason of their denying to take the Oaths of Supremacy and Allegiance, I have endeavoured out of compassion to their souls, to prove to them, that such swearing may be lawful: It is not I that impose the Oaths on them, but the Law and the Officers that are to execute it; nor did I preach it up to be imposed on tender consciences, but after it was imposed on them by others, and my Petition with others to his Majesty for the release thereof without the desired effect, I did upon advise and importunity, publish the writing about

about it, to free them from mistakes, who scrupled the thing, there being then in appearance, no other way for the liberty and help of many then imprisoned, and more liable to imprisonment for their refusal to swear, then by shewing them the lawfulness of that, for denying of which they suffered, and therefore they might without danger to their souls, and much benefit to themselves in their outward estate, take an expedite course for their peace. Which charity (that *thinketh no evil*, that *hopeth all things*, *believeth all things*, 1 Cor. 13. 5. 7.) if there had been any in R. H. would not have construed to have been done to any evil end, but out of love and mercy to men for their good, and for the great advantage of them that are of the same judgement with me in point of baptism, that it may not be imputed to them as their common tenent, that they allow no Oaths, no not in judicial proceedings, which is interpreted as tending to the overthrow of all civil Government, and so the persons counted intolerable, which hath caused, and is yet likely to cause great persecution to those that hold the truth about baptism. In which thing I bless God I have not been so *miserable a comforter*, but that I know my self of many, and am told of more hundreds, yea thousands, who have had their liberty and their families, saved from ruine, by reason of the clearing of the point to them in that book; and, if some after their swearing have been disquieted in spirit because of their Oath, it is not to be imputed to that book, but their own weakness, or such affrightments as R. H. and others, do put upon them. I refuse not to be taught by R. H. or any other, but, sure I am, in this thing R. H. yields me no light to rectifie me, but by his false accusations of me, as *far from righteousness, as bringing men into condemnation by my Ministry*, &c. gives me occasion to fear that he is led by an evil spirit, so venomous a tongue discovering a malicious poisoned heart.

My answer to the grand objection from *Mat. 5. 34, 35, 36, 37. James 5. 12.* was, that there must of necessity be some limitation of Christs speech, as of the next speech, *ver. 38, 39, 40, 41, 42.* and many more places, which I then did not recite, but shall now refer the Reader to some of them, *Mat. 5. 29, 30. Mat. 6. 17, 19. 25. 34. Mat. 7. 1. Mat. 10. 28. Mat. 23. 3, 8, 9. Luke 6. 30. John 6. 27.* which with many more if they were understood without limitation, would cross other Texts of holy Scripture, and such truths as are undeniable, and introduce such evils

as are intolerable. And that *Mat. 5. 34, 35, 36, 37.* is to be limited, I proved it from the Angels and *Paul's* swearing and adjuring after that precept, which shews they understood it with limitation, and so are we to understand it, and that it is to be limited as I there set down, I proved from the words of the Text, there and elsewhere. Hereto *R. H.* speaketh thus.

Indeed it doth plainly appear, that thou must of necessity either disprove Christs words, or else deny thy own, seeing they are contrary the one to the other: so therefore thou saist, that it was those oaths above mentioned, that was forbidden by Christ and the Apostles, and I shall shew it plainly, that thou hast no necessity to limit Christs words to vain and prophane swearing; (but only that thou wouldst have thy words true, and his false) for Christs words in *Mat. 5.* do not intend such oaths, for he speaks of the true oaths which was used among the Jews, and such oaths as Christ told them they were to perform; for it was not said in old time, that they should perform vain, light, prophane, unnecessary, customary, and passionate oaths, but such as they were to perform betwixt the Lord and them, and the solemn Vows and Covenants which they made in old time to their Kings, and one to another, the Christians now by the command of Christ was not, to swear these oaths, neither any oath true nor false.

To which I reply, 'Tis true, Christ spake of true oaths to be performed to the Lord, as the occasion of his precept did lead him to speak: But it is true also, that our Lord Christ forbids not such oaths universally, nor as they were used in old time among the Jews, and to their kings, and one unto another; but as the Pharisees and other teachers interpreted what was said to them of old time, that what was said to them, did bind no further then not to break their oaths, but to perform them to the Lord, otherwise they might swear as oft as they would, and in what manner they pleased: But this Christ denied, and determines they might not swear frequently, unnecessarily, with such oaths as they used, and conceits of the obligation of some, and not others, as the Text leads us to conceive; and the reasons by me given, prove the words are to be limited, to which *R. H.* hath given no answer, and therefore my answer and whole dispute stands good, notwithstanding the opposition of *R. H.* and *S. F.* And for the insinuations of *R. H.* that this is preaching of the lawfulness of swearing (or sinning) against Christs command, and that such teachers are given to change with every government, and that they preach as the false prophets

prophets did for handfuls of barley and pieces of bread, they are but a further continuation of his revilings, it being no teaching against, but expounding of Christs command; nor have we changed our doctrine or principles with change of government, but shewed subjection to the powers that be, as *Paul* enjoins, *Rom. 13. 1, 2*. Nor do we look at wages any otherwise, then we are allowed, nor conceive we are bound by any law of Christ or his Apostles, to refuse or neglect more liberal maintenance, be it by tithes or other pay assigned by law, then that which is by meer alms or voluntary contribution, which in most places is so scant, that persons of worth are necessitated to live in a sordid manner, or people are necessitated to take persons of little worth, and thereby the Ministry is debased, the people untaught or ill taught, such ignorant and corrupt men, as *R. H.* seems to be by his writing, creep in among men, and pervert them.

That which *R. H.* saith, the *Jews* swear by the living God, but the *Apostates* by the book, insinuates, as if such were apostates as swear thus, and that they swear by the book, and not by the living God. But neither doth he prove, that they who teach the lawfulness of some swearing, are apostates from Christianity, any more then holy *Paul*, who hath left upon record in holy Scripture, his oaths, after he was an Apostle; nor is this form of swearing, *So help me God, and by the Contents of this book*, any other then swearing by the living God, made known in that book, and pawning our interest in his help, according to the doctrine and promises in that book, expressed by laying the hand on the book, as formerly by coming before the altar, *1 Kings 8. 31. 2 Chron. 6. 22*. as a sign of our abandoning our interest in Gods help, made known in that book, if we speak not truth.

I find in an humble petition of some prisoners in *Maidston*, dated *January 25*. that they cannot acknowledge any authority that God hath given the King in spiritual things or causes; and they thus argue: If thou hast any power to be a Lord over our faith, or by outward force to impose any thing in the worship of God on our consciences, it is given unto thee as thou art a Magistrate, or as thou art a Christian; but thou hast no such power given unto thee of God as thou art a Magistrate, appears, 1. Because if Magistrates as such, have such an authority, then all Magistrates in all Nations have the same power: In *Turky* I must be a *Mahometan*, in *Spain* a *Papist*; and for ever as the authority changes Religion, I must do

the same. 2. Because the Apostles refused to be obedient to their rulers, when they were commanded to forbear that which they judged part of the worship of God; Acts 4. 19. Acts 5. 29. 3. All the Scriptures of the new Testament, that injoynt obedience unto Magistrates, were written when the Romans had the Empire of the world, whose Emperours were for the most part (if not all) heathenish idolaters for the first 300 years, until Constantine's time; it therefore cannot be supposed, that any of these Tracts of Scripture that calls for obedience to Magistrates, intends an obedience in matters of faith or worship, for then the Christians that lived under those Emperours, must needs have denied Christ, and worshipped the Roman gods, as some of the Emperours commanded.

Ans. Though in my Serious Consideration of the Oath of the Kings Supremacy, there is that said which might have prevented this objection, yet being willing to clear the truth more fully, I say, 1. That it is not rightly supposed, That by outward force any thing in the worship of God, may be imposed on mens consciences. For though by outward force, things may be imposed on the outward man, and the actions of some of the members, yet by outward force a thing cannot be imposed on the conscience. For then only is a thing imposed on the conscience, when the conscience is convinced, that he ought to do, or not to do it, which must be done by doctrine, or some other way insinuating into the conscience the necessity or lawfulness of doing or not doing a thing, which outward force cannot perform. 2. That it is a greater mistake, That the King in the Oath of Supremacy, is acknowledged to have power to be a Lord over our faith, or by outward force to impose any thing in the worship of God, on mens consciences. This mistake might have been rectified, if they had heeded the Oath, Proviso, Admonition, 37th. Article prefixed before my book, and the explication of the 5th. and 6th. Propositions, which I gave conformably to the speeches of learned approved men, by the Princes that have been and are, which I find not yet any persons in authority have disallowed; and yet I conceive by their words in the end of their petition, they were not ignorant thereof, fith they cite the proviso of the Statute 5. Eliz. and the admonition, which I presume they found printed in my book. By which they might have understood, that Kings are acknowledged Governors in spiritual things, as well, and no otherwise as in temporal things. Now in temporal things they have not power to impose any thing on mens

mens consciences by outward force, nor is the King a Lord over our faith in temporal things; so as that if he should tell us we may marry our brothers wife, or command us to fight a duel for our honour, we may think we are bound in conscience to do it, or that we may lawfully do it, much less that he is Lord over our faith in the things of God, so as to impose on our consciences what we shall believe concerning God, Christ, the Covenant of grace, the doctrine of salvation, &c. or to form the worship of God by addition or diminution, otherwise then is appointed by Gods word, but as Dr. Rainold's Confer. with *Hart*, chap. 10. cites the words of *Augustine*, which I find in the seventh Tome of his works, in the third book against *Crescimus* the Grammarian, chap. 51. more fully then in the fiftieth *Epistle*, *For in this kings, as it is commanded them by God, serve God as they are Kings, if in their Kingdom they command good things, and forbid evil things, not only which pertain to humane society, but also which pertain to the Religion of God.* And as they are not to govern in temporal things, but according to just Laws of the Commonwealth, so neither in the things of God, but according to the holy Laws of God; and although they have more authority in making and executing Laws in Civil things, then in Religious, yet in neither to make or execute Laws contrary to Gods Laws, nor to usurp that prerogative which belongs to God to dispense with his Laws, or to hinder the doing of a duty imposed in the first or second table of the Law, or to mould or urge doctrines of faith or worship, otherwise then God in Scripture declares or appoints; nor do ye acknowledge by taking that Oath, that we owe them active obedience, if they urge us by Laws and Edicts thereto, in things reserved to Gods prerogative, or such as are contrary to his Laws in force, only we are to yield passive obedience by suffering, and not resisting the power and authority thus abused. Nor is there any thing in the words of *Q. Elizabeths Admonition annexed to her injunctions*, contrary to this explication. For the Queen doth not say, that She challenged by that Oath, such a power as was challenged by her Father, King Henry the eighth, which was, to burn his subjects at the stake for their dissenting from him in religious matters: But She saith, That nothing was, is, or shall be meant or intended by the same Oath, to have any other duty, Allegiance, or bond required by the same Oath, then was acknowledged to be due to the most Noble Kings of famous memory, King Henry the eighth Her Majesties Father,

or King Edward the sixth, Her Majesties Brother. And again : For certainly her Majesty neither doth, ne ever will challenge any other authority, then that was challenged, and lately used by the said Noble Kings of famous memory, King Henry the eighth, and King Edward the sixth, which is, and was of ancient time due to the Imperial Crown of this Realm ; that is, under God to have the soverainy and Rule over all manner of persons, born within these Her Realms, Dominions and Countries, of what estate, either Ecclesiastical or temporal, soever they be, so as no other forrein power shall, or ought to have any superiority over them. Now if She had challenged power to burn at a stake her subjects, for their dissenting from King Henry the eighth in religious matters, then she must challenge power to burn all his Protestant subjects at a stake, and therefore she must be conceived to challenge only authority over all persons to govern them according to just Laws, excluding forrein power. Whereto agree both the words of the 37th. Article, set down in my former book, and the word of King James in this, That in that Oath only is contained the Kings absolute power to be Judge over all persons, as well Civil as Ecclesiastical, excluding all forrein powers and Potentates, to be Judges within his Dominions. Nor is it true, That by King Henries practice appears, that Q. Elizabeth challenged power to burn dissenters from King Henry in matters of Religion. For she did not challenge all the power, which King Henry practised, for then she should have challenged a power to behead her mother, which he practised, and if the Queen herself exercised the same authority (though it be not to be called authority or power truly, but an usurpation or abuse of power) in putting some to death for their conscience in Religion, yet doubtless she challenged no other power then what before had been or might be lawfully exercised or used, as the words are in the Statute 1. Eliz. c. 1. a little before the Oath of Supremacy, nor doth the Oath acknowledge the King Governor, or to have any other power or authority to be assisted, defended or actively obeyed, then as it is lawful, and used or exercised lawfully, and therefore in answer to the three Arguments of the Petitioners, I say, 1. That by the acknowledgement of the Kings Supremacy in spirituals, as a Magistrate neither is a man bound to change his Religion as the King doth, nor to forbear Gods worship which he forbids, nor to deny Christ, or worship other Gods because he commands it.

It followes in the Maidston prisoners Petition. And now, O King,

King, that no man as he is a Christian, hath power to be a Lord over anothers faith, or by outward force to impose any thing in the worship of God, is as clear, 1. Because the Lord Jesus himself, nor his disciples, wou'd never by any outward force compel men to receive them or their doctrine; for when the disciples of Christ (supposing they might use violence as under the law) would have commanded fire to come from heaven (as Elias did) to consume them that would not receive them; Christ turned and rebuked, saying, ye know not what spirit ye are of, for the Son of man is not come to destroy mens lives, but to save them.

Ans^r. To be Governor in things and causes spiritual and Ecclesiastical, is ascribed to the King as King, and not as a Christian, for a Christian as a Christian hath not the Government of any others besides himself in any causes, and he is Governor in Ecclesiastical causes, as well as temporal: But he is not governor in temporal things as a Christian, but as a King; although it is true, that a Christian is better fitted to govern in both causes, in that he is a Christian, his Christianity by framing his spirit to wisdom, justice, clemency, &c. producing more aptitude to govern, though not more authority, and therefore were there not in this part of the Petition sundry mistakes, by which those Petitioners incommode, and harm themselves and others; and there seems to be some reflection on my book of the Serious consideration of the Oath of the Kings Supremacy, I should let this pass: But for these reasons I shall a little examine what is said.

1. The mistake is continued, as if by acknowledging the King supreme Governor in spiritual things, he had a power given him to be Lord over anothers faith, which were indeed to ascribe that to the King, which the Pope takes on him, to determine what a Christian is to believe, which *Hart* the Jesuite imagined was given to the King by that Oath, but was rectified therein by Dr. *John Rainold* confer. with *Hart*, chap. 10.

2. If [by imposing by outward force; any thing in the worship of God] be meant of imposing on the conscience, the same mistake is continued, which I have before discovered: But if [by outward force imposing any thing in the worship of God] be meant of [imposing by civil penalties on the outward man, something in Gods worship] there is need of much caution to determine of their power. Civil penalties are greater, as death, banishment, mutilation, imprisonment, spoiling of estate, liberty of trade, &c.

Or less, as some small diminution of privileges, office, &c. The things imposed on men may be either the commands, or plain institutions of Christ, or some things devised by men, as Councils, Fathers, Prelates, &c. And these impositions may be either in circumstances of time, place, order, which are undetermined by Christ, or in such points of doctrine or worship, as are of greater moment, and determined by Christ. The impositions may be such, as are termed by the Apostle, *hay and stubble*, or such as overthrow the foundation which is laid, *which is Jesus Christ*, 1 Cor. 3. 11, 12. such as are impositions tending to Idolatry, Superstition, Profaneness, heresies of perdition, blasphemy. The imposition may be on Teachers or Learners, stronger or weaker Christians, to be subscribed to, or taught, or to be conformed to, or professed, and this to be done either by bare presence, which infers no consent, or by some act which shews consent. It cannot be denied, but that Kings by reason of their errour and rigour, have very sadly miscarried in their impositions on Christian brethren in matters of faith and worship, there having been many mistakes in the best Councils, Fathers, Prelates and learned men, since the Apostles days, who have seldome been so equal, as to permit those they have been prejudiced against, to debate freely and fully what they hold; nor are they heard with that equanimity, which were requisite. And therefore Princes, Parliaments, Republicques, have made many hard Laws, and done innumerable unrighteous executions, to shedding of much innocent blood, and most heavy oppressions of men, either guiltless, or not deserving such severe penalties as they have incurred. I think Kings and Parliaments who see not much with their own eyes, but are faine to use the judgements of Learned men and Prelates, who are often partial through prejudice or interest, or not studied in the points about which they advice, do often stand in a very slippery place; and that Law-makers and Officers of justice have need of very much circumspection and tenderness, ere they make penal Laws in matters of Religion, that they should not make heresie by the determinations of any Councils since the Apostles days, nor urge subscriptions and conformity under civil penalties, but in things plainly set down in holy Scripture, that so much liberty to dissents and different usages should be given, as may stand with peace. Yet that Kings should use no civil penalties on men for any disorders or errors in any matters of faith or worship of God, I am

not

not yet convinced by any thing I have read, much less by the Arguments of these Petitioners.

Not by the first. For a King may do that which our Lord Christ in his state of humiliation would not do. *He would not divide an inheritance among brethren, Luke 12. 13, 14.* and yet a king may do it. For though Christ was King in right, yet he refused at that time to take upon him, or to execute the office of a King, but took upon him the form of a servant, *Phil. 2. 7.* And therefore a King on his throne is not debarred from doing that which Christ would not do in his debasement. And yet even then the Lord Christ did whip the buyers and sellers out of the Temple, and overthrew the tables of the money-changers, *John 2. 15, 16. Mat. 21. 12.* I will not now dispute, whether Christ did this *jure zelotarium*, by the right that Zelots of the Law among the Jews, claimed to themselves; or *jure Regio*, by the right of a King, under which notion acclamation was made to him when he rode on an Ass into Jerusalem, *Luke 19. 38.* after which he did expel the buyers and sellers out of the Temple, *ver. 45.* nor whether this be a good proof for Magistrates, to intermeddle in matters of Religion, as it hath been argued by Mr. Cobbet of New England. It is sufficient for my present purpose, that the alledging of Christs example by these Petitioners, is so far from making against the Kings power in Ecclesiastical causes, that it rather makes for it. Nor is it against the Kings power in causes Ecclesiastical that the Lord Jesus himself, nor his disciples, never would by any outward force compel men to receive them or their doctrine. For, besides what is already said of Christs example, there is a great difference to be made between professed infidels, and disorderly Christians; between planting of the Gospel at first, and reforming Christians who have in shew received it, there may be reason to do the latter by civil penalties, though not the former, though men are not to be made Christians by civil penalties, sith Religion is not to be enforced, but perswaded, yet being Christians they may be corrected by civil penalties. As the Apostle Paul, though he said, *what have I to do to judge them that are without?* *1 Cor. 5. 12.* yet did not exclude Ecclesiastical penalties on them that are within; no more are they that are within, freed from civil penalties in some things Ecclesiastical, because they are within, though perhaps they that are without, are not to be compelled to come in. And yet it is not proved, that a King may not use some civil penalties, especially

especially denying of favours and priviledges to them that embrace not the faith, or rather, it is certain, he ought so to put a difference between Christians and infidels, godly Christians and profane loose ones, that the former may have that encouragement and benefit, which others have not, according to *Dauids* example, *Psal.* 101. which a King ought to follow.

As for the speech of Christ, *Luke* 9. 54, 55, 56. it serves much less for the Petitioners purpose.

For 1. The reason of the disciples desire of calling fire from heaven, was not their not receiving them or their doctrine as Christian, but as Jews. For the *Samaritans* did not receive Christ, because his face was as though he would go to *Jerusalem*, ver. 53. which shews, that their not receiving him, was out of the hatred they bare to him as a Jew, and to the worship which was at *Jerusalem*, according to what we read of the *Samaritans*, *Joh.* 4. 9, 20. & 8. 48. And therefore this is not to the present purpose of Christs denying power to the Civil Magistrate, to inflict civil penalties on the non-receivers of his doctrine.

2. The fact of the *Samaritans* was far different from the fact of the Captains that came to take *Elijah*, 2 *Kings* 1. chap. For they came to take *Elijah* to destroy him, these only did not receive Christ, those doubtless were worshippers of *Baal*; and joyned with the King of *Israel* to uphold idolatry, and to persecute the Prophets and Worshippers of the true God, which made them more justly objects of wrath and Divine vengeance then the *Samaritans* were.

3. That which the disciples would have had fall on the *Samaritans*, was fire from heaven to destroy them, which was too great a punishment for that neglect: But this doth not prove that a lesser and proportionable penalty, may not be inflicted on some disorderly Christians by a Civil Magistrate.

4. The disciples were but private persons, and were carried with a private and selfish spirit, even the desire of private revenge, and therefore Christ rebukes them, as not minding with what spirit they were moved; which hinders not but that a publique Magistrate, *ex zelo justitia*, with a publique spirit out of zeal of justice, may inflict some proportionable civil penalties on Christians, who are his subjects for some offences in spiritual or Ecclesiastical things or causes.

But, say the Petitioners, 2. If any men under heaven have had
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any such power in the dayes of the Gospel, the Apostles and Elders in the Primitive times must needs have had it, but this they disowned. The Apostle Paul in 2 Cor. 1. 24. saith thus, Not for that we have dominion over your faith, but are helpers of your joy, for by faith you stand; yea the Lord Jesus when they strove for Domination, forbids it, saying, ye know that the Princes of the Gentiles exercise dominion over them, and they that are great do exercise authority upon them, but it shall not be so amongst you, Mat. 20. 25, 26. even so saith Peter, speaking to the Elders, Feed the flock of God which is amongst you, taking the oversight thereof, not by constraint, but willingly; not for filthy lucre, but of a ready mind, neither as being Lords over Gods heritage, but being examples to the flock, 1 Pet. 5. 2, 3. And in truth the Apostles and disciples were not to use any external force to carry on their masters work, but only by shewing the terrors of the Lord were to perswade men; and in case of resistance to shake the dust from their feet, as a witness against their opposers.

Ans. 1. To have dominion over our faith, that is to appoint authoritatively what we shall believe, what not, so as that if we believe not, we sin against God, and are liable to his wrath, is peculiar to Christ the great Prophet of the Church, Acts 3. 22, 23. To the Apostles themselves, Christ said, Mat. 23. 10. Neither be ye called Masters, for one is your Master, even Christ. Neither the Pope, nor any Council of Bishops or Elders, much less Kings and Parliaments (who take not upon them to be teachers in the Church) can prescribe to us our Creed, or form of Worship of God, any otherwise then Christ and his Apostles from him, have delivered them to us. Nor doth the Oath of Supremacy ascribe to them such power and authority, but it hath been disclaimed, as is before shewed. Nevertheless Princes may require those under their Dominions, to worship God in Christ, according to the plain direction of the Scriptures of the new Testament; and if they set up idols; blaspheme the God of heaven, &c. may inflict civil punishment, they may forbid and punish the teaching of some doctrines, tending to the reproach of Religion, destructive of Christianity, of Civil Government, provided they be very wary, that they do not judge by any other then the plain declarations of the holy Scripture, and not by the authority of any Councils or Fathers, sith as it is in the 21. Article of the Church of England, General Councils have erred and may erre, in things pertaining to God, and the punishment be so proportioned and qualified,

as may agree with justice, equity, prudence, clemency, and other vertues requisite in them that rule over others. Nor that which is here alledged, of validity to disprove it. For 1. *It is not rightly supposed, that Princes have not in the days of the Gospel, a power in matters of Religion, which the Apostles and Elders in the Primitive times, had not.* The contrary is proved in my *Serious Consideration of the Oath of Supremacy*, in the confirmation of the 4th. and 5th. Propositions. The Apostles and Elders, as messengers of Christ, and Pastors of the Church, had their peculiar authority, which Princes are not to usurp; and Princes have their peculiar power and authority, to which *every soul is to be subject*: neither have dominion over our faith; and, however Popes claim it, our Princes disclaim it. 2. The Text *Mat. 20. 25, 26.* is rightly urged by Protestants against the Popes usurpation, as I shew in my *Romanism discussed*, Art. 7. Sect. 8. but not rightly urged against Christians, being civil Magistrates, nor against Princes being governors over all persons in their dominions, in spiritual things. That which is there forbidden, is rule in the Apostles over one another, after the manner of the Kings of the Nations. 3. The Text, *1 Pet. 5. 2, 3.* is much less to the purpose, it being only a precept to Teachers and Elders of the Church, concerning the exercise of their Ecclesiastical function, nothing to the restraint of Princes from the exercise of their office, in things and causes spiritual. 4. The Apostles only perswading, shewing the terrors of the Lord, shaking off the dust of their feet, are ill alledged to exclude Princes from their power of governing all persons in all causes. The Apostles and Elders did not bear the sword as Princes do. It would be of very bad consequence, if in case of resistance they might do no more then the Apostles were to do in case their doctrine were received or opposed.

It is added by the Petitioners, thus. 3. *It is very plain, that the Lord Jesus himself in his parable of the tares and wheat, forbids any force to be exercised upon false worshippers, as such; for by the tares which he forbids the pulling up, Mat. 13. 29. cannot be intended the transgressors of the second Table, such as thieves, murderers, &c. because all confess with one consent, that the Magistrates authority reaches such, but those that Christ Jesus would have remain amongst his wheat, in the field of the world, are the children of the wicked one through Idolatry and will-worship; this will further appear, if the 28, 29, 30. ver. be compared with the 38, 39. of the same*

same Chapter ; and the reason the Lord Jesus gives, why both tares and wheat must grow together, (O King, that it were engraven with the point of a diamond, and often laid before thee) is, least in gathering up the tares, the wheat also be rooted up with them.

Ans^r. Parables are a way of teaching, much used of old in the Eastern Countries, as appears by *Jorham's* parable, *Judg. 9.* *Nathans* parable, *2 Sam. 12.* and they are narrations of things perhaps never done, yet related as if they had been so acted as they are told, that by the resemblance, the thing intended may more easily insinuate it self into the minds of the persons to be instructed by the parable. Now there are in such parables, two parts, the one the devised story, the other the intended doctrine to be learnt by it, which is sometimes opened, as *Mat. 13.* which we term the application or explication, and sometimes left to be gathered by the auditors, as *Luke 14. 16,* &c. *Luke 15. 11,* &c. and even *Mat. 13. 31, 32, 33, 44, 45, 46.* In the devised story are many things inserted, as lace in a garment, or carvings in a building, or pictures in a Map, which are only for comeliness in the speech, more handsome dress of the speech, or filling it up, and yet are not doctrinal, nor argumentative, as from the parable, *Luke 16. 23, 24, 25.* it would be vain to teach men, that those in hell may see those in *Abrahams* bosom, and speak one to another. And therefore it is a rule in Divinity, that such symbolical expressions are not argumentative any further then their application, explication or scope, appears to be. Now the parable, *Mat. 13. 24, 25, 26, 27, 28, 29, 30.* being distinctly opened by Christ, from *ver. 36. to ver. 44.* it is unsafe to conclude any more from it, then Christ hath done in his explication. I know this passage, *Mat. 13. 29, 30.* hath been much urged for the toleration of men, corrupt in matters of faith and worship by the civil Magistrate, without civil penalties, specially such as are destructive of mens being. But, what ever be said of the conclusion, this Text serves not to the purpose. For 1. It is no part of the application or explication, *ver. 36. to ver. 44.* and therefore is to be counted only a filling up of the devised story, and therefore not doctrinal or argumentative. 2. There is no proof, That by *the children of the wicked one*, *ver. 38.* are meant only Idolaters and wil-worshippers : Yea these reasons seem to prove that others are meant, to wit, wicked men, who are transgressors of the second Table of the Law, as well as the first. 1. That the chil-

dren of the wicked one, are *ver. 41.* termed all *scandals*, of things that do offend, and them that do iniquity, or that which is not agreeable to Gods Law. 2. John 8. 44. 1 John 3. 10, 12. *haters of their brethren, and murderers and liars*, are termed *children of the Devil, or wicked One*, as well as Idolaters or will-worshippers. 3. *The children of the wicked One* seem to be all sorts of men, who are of Satans sowing. 4. All those who are not *children of the Kingdome*, but are to be cast into a furnace of fire. *Ver. 38. 42.* are termed *tares*, and these are not only Idolaters, will-worshippers, heretiques, but all other sorts of sinners, such as are mentioned, 1 Cor. 6. 9, 10. and elsewhere. Nor are the reasons valid, here produced to the contrary. For 1. It followes not thieves and murderers, and others, whom confessedly the authority of the Magistrate here reacheth, are not here meant, therefore not other transgressors of the second Table, but Idolaters, will-worshippers, heretiques. 2. Nor doth it follow, Christ would not have thieves, murderers, and other transgressors of the second Table, remain among the wheat, but to be plucked up; therefore they are not here meant by the tares, but Idolaters and will-worshippers, as if Christ would have all transgressors of the second Table plucked up, none of the transgressors of the first, which is all one, as to say Christ would have all liars, covetous, unrighteous persons, in any kind destroyed, not any Witch, Atheistical scoffer, Blasphemer, Idolater, profane person. 3. It is not proved, that by the *servants of the householder*, are meant the civil Magistrate, why not the *Angels* termed *reapers*? *ver. 39.* These Petitioners after make them the Apostles: will they have them to tolerate Idolaters in the Church? 4. Were it granted, that here were meant only Idolaters, will-worshippers, heretiques, how is it proved that this is a precept to civil Magistrates. There is no such precept in the application or explication of the parable, and therefore it seems to me not to note the duty of the civil Magistrate, but the event of Gods providence, that God would permit the cohabitation of the wicked in the world, with the just, as is also taught in the parable of *the net*, *ver. 47, 48, 49, 50.* Not that Magistrates or Ministers should permit them, and not by civil punishment or Ecclesiastical, remove them out of the Church, or the world. Lastly it follows not, Magistrates may not destroy Idolaters, will-worshippers, therefore they may not inflict any civil punishment, *from the species to the genus, negatively, an argument concludes not.*

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These Petitioners further tell us, How sad it is to remember how in all ages since Christ, very strange mistakes have been on this account; the Lord of life himself was put to death for supposed blasphemy and wickedness, and accused for being an enemy to Cæsar, Mat. 26. 65. John 19. 12. and this done unto him by a people that had the Law of God amongst them, and were famous in the world for their earthly wisdom and knowledge. Stephen was stoned, and James the Apostle killed with the sword, supposed to be tares, or the children of the wicked One, when they were the precious wheat of God, Acts 6. 13, 14. and 12. 3. The Christians that suffered in the ten persecutions, were they not accused of being pestilent fellows, movers of sedition, turners of the world upside down, enemies to Cæsar, Acts 24. 5, 12. and 17. 6, 7. when the contrary was most true, and they will be found to be the faithful martyrs of Jesus? So in latter times many of those that have been put to death for heresie and blasphemy, are by this age acknowledged to be the Saints of God. O King, that our words might be acceptable to thee, consider, that neither thy Self nor Counsellors, have the spirit of infallibility; if the Apostles that had an extraordinary spirit of discerning, must not pluck up the tares, lest they root up the wheat also: how can any Prince on earth undertake a work so dangerous? It is possible, many of those that are counted false worshippers and hereticks, in this day, may (at the time when God shall judge the world in righteousness) be servants of the most high God. Remember, we pray thee, that those that lived in the days of the Lord Jesus, accused their fathers for being guilty of the blood of the Prophets, saying, If we had been in the days of our Fathers, we would not have been partakers with them in the blood of the Prophets, Mat. 23. 29, 30. yet themselves killed the Lord of life. The Romish Church also saith, if we had lived in the days of the heathen Emperors, we would not have been partakers with them in the blood of the Christians, yet puts to death many as righteous as they were: and now many of thy Subjects in this Nation, are ready to say, If we had lived in the days of Queen Mary, we would not have been guilty with our Fathers in the blood of those good men that then suffered; yet such a spirit of persecution is now risen up, as (if not restrained) will terminate in the blood of many good men, and so bring down the wrath of God upon this generation, and there will be no remedy.

Answer I could eccho out all this after them, were not this alledged as a ground of their denial of the taking the Oath of the

Kings Supremacy. It is a good wish that the King would deeply consider and remember all this; some acts of his give cause to think he doth, and to hope he will remember it. I said somewhat to the same effect in my *Serious Consideration of the Oath of the Kings Supremacy*, and such things as have lately hapned, give still cause to inculcate this, that his Majesty, his Counsel, and Ministers of justice, have need of very much circumspection how they imprison, and other ways punish men for their dissent from that which is established in matters of faith and worship, sith this power of punishing for supposed heresies, errors and schisms, hath been so unhappily and unrighteously managed, as gives cause to fear, that it neither was, nor will, nor can be well used without destruction of many innocent persons. God forbid I should justify any abuse, or neglect according to my power and place, the seeking of reformation. Nevertheless all this amounts not to a sufficient ground or reason, to deny the Kings Supremacy in spirituals, sith the like abuses happen in temporal things, and yet these Petitioners deny not the promise, yea and that indeed in words of swearing of obedience in temporal causes. We might make a Catalogue of *Sauls, Davids, Solomons*, and others oppressions in temporal things, shall we therefore deny their regal power in them? no, but acknowledge the power, and oppose the abuse; yet not by arms, or other unpeaceable ways, but by Petitions to the Rulers, prayers to God, patient suffering, which are the weapons whereby Christians conquer. For which reason, I except not against that which the Petitioners adde.

4. *To inflict temporal punishments upon any of us thy subjects, for not conforming to thy decrees, that restrain us from the worship that we know to be of God; Is it not a breach of that royal law, that commands thee, that whatsoever ye would that men should do to you, do you even so to them, for this is the law and the Prophets? Mat. 7. 12. And we would in all humility offer to thy consideration, if thy soul were in our souls stead, wouldest thou be satisfied with the same measure, as is now dealt unto us, when neither the God of heaven, nor our own consciences condemn us of any evil intended against thy person or authority? Nor can the greatest of our enemies make any due proof of any combination or plotting with any upon the face of the earth, for the disturbance of the publique peace: And this we can with boldness say, because we know our own innocency. Yet cannot this be a sufficient ground of denying the Kings Supremacy in spirituals; nor*

nor is the proof of that Supremacy enervated by what follows.

But whereas it is objected, that the Kings of Israel and Judah, under the old Testament, had power in spiritual causes, and did punish blasphemy and Idolatry, which are crimes of the highest nature against God, we confess they had such power, which was given to them in plain precepts, written in the law of Moses; but the Gospel that we live under, is another dispensation, in which the Lord Jesus is the only Law-giver, who doth not (as Moses) proceed against the transgressors of his precepts, by external force and power, to the destroying them in their bodies and estates in this life, but in long suffering waits on men, not willing they should perish, but rather that they should repent and be saved, 2 Thes. 1. 9. 2 Pet. 3. 9. Acts 17. 31. and when any continues in disobedience to the Gospel, his punishment is eternal in the world to come. The Apostle Paul testifies of himself, that he was a blasphemer and persecuter, 1 Tim. 1. 20. And if the mind of God had been, that he should have suffered death in that condition, how should he have had repentance given him, and been such a glorious instrument in the Church as he was? Furthermore it is too well known, that the Jews are the greatest blasphemers against our Lord Jesus Christ, as are on the earth; yet it is not the mind of the Lord they should be destroyed from the face of the earth, for how then should the Scripture be fulfilled, wherein God hath promised to call them, and to make them the most glorious Nation of the world? Oh how can they be converted, if they be not permitted where the Gospel is preached? We speak not this in favour of any blasphemy, for our souls abhor it; but because we would have the lives of men as precious in thy eyes, O King, as they are in the eyes of the righteous and most holy God.

Ans^r. It is true, that I alledged in my *Serious Consideration* of the Oath of the Kings Supremacy, the power of the Kings of Israel in spirituals, to prove the King to be Governor in spiritual causes; I did not, nor was it necessary I should assert the same power every way, or the justice of proceeding now by the same Laws, which were in many things appropriate to the policy of that Nation, nor am I of opinion, that the judicial laws of Moses, bind us any farther then their common equity, nor do I think it necessary we should fetch our Laws from them; they being in many things fitted to the policy of that people, which is different from ours. Nor do I deny, that there is not the same reason of punishing some idolatry and blasphemy of professed Christians, as

was of punishing the idolatry and blasphemy of the Israelites, in the worshipping of the golden Calf, *Baal*, *Ashtaroth*, *Molech*, there being such special warnings given them before, such great things done by God for them, as made their engagement greater, and their revolt to other gods, worse, and more detestable than in other people; and if it be true which Dr. *John Burges* in his rejoinder to the reply to *Bishop Mortons* defence of the three Ceremonies, that the Popish idolatry is not so bad as the Israelites, then there may be cause why that idolatry which the Papists use, should not be punished with death, though the worship of the golden Calf, *Baal*, *Molech*, and such Idols were. And for some blasphemies against Christ, as the Messiah or Son of God, and some errors or heresies, which under the name of blasphemies have been punished with death, and perhaps by Laws in force are liable to the same punishments, I dare not say that they are equally evil, or to be punished as the blasphemy of the mungrel was, *Lev. 24. 14, 15, 16*. Nor do I take upon me to justify those Laws by which death is awarded to heretiques, nor to avow the sentences that have been past against persons, as heretiques, because condemned by Canons of Councils. He that should now enact a law to put men to death for breaking the Sabbath, because God did so appoint it, *Numb. 15. 35*. in the case of him that gathered the sticks on the Sabbath day; or should make a law, that the father and mother of a stubborn son, should bring him to the Elders of the City to be stoned to death, as it is *Deut. 21. 18, 19, 20, 21*. should, as it is said of *Draco the Athenian*, write his laws in blood. I deny not but that in the New Testament, punishments are put off to the last judgement, that Christ hath told us, *Mark 3. 28*. that all sins shall be forgiven to the sons of men, and blasphemies wherewithsoever they shall blaspheme, excepting that against the holy Ghost, that *John 8. 7, 8, 9, 10*. Christ (if that story be genuine) would not condemn the woman taken in adultery, but rather furthered her escape from stoning, that the Gospel we live under is another dispensation, as the Petitioners speak, meaning, that it is not so severe and rigid a Covenant, as the Law was, that the Law was given by Moses, but grace and truth came by Jesus Christ, *John 1. 17*. And therefore I count them too severe beyond Christian moderation, that inflict death, imprisonment, banishment for some errors termed heresies, for non-conformity to some forms of worship, for some conceived blasphemies: Some eminent Protestants have

have been censured as too cruel, even by men of great understanding for their severity in these things. According to this determination, a prevention may be made of destroying such a blasphemer as *Paul* or the Jews, and yet the Kings Supremacy proved from the example of the Kings of *Israel*, even in spirituals, which may be exercised for publique peace, and common good, if good caution be used, without such direful and cruel persecutions as have been. A fathers power may be proved from the Law, *Deut.* 21. 18, 19, 20, 21. though that law stand not in force, and so may the Kings power in causes Ecclesiastical be proved, from the power of the Kings of *Israel*, though it be denied, that he is to punish Idolatry, blasphemy, heresie, as they did, or some would now have it once more say the Petitioners;

5. *As it is no wayes lawful from the word of God, for Christian Magistrates to destroy and root out the contrary minded in religious matters, (although Idolaters) so such proceedings may many times prove inconsistent with the very being of nations; for suppose any Nation were wholly heathenish idolaters, and the word of God coming in amongst them, should convert the chief Magistrates, and twentieth part of the Nation more; must he with that twentieth part destroy all the other nineteen, if they will not be converted, but continue in their heathenish Idolatry? it cannot possibly be supposed warrantable.*

Ans. All this may be granted. The Spaniards practice in destroying the *Americans*, is condemned by *Bartholomew de Casa*, a Spanish Bishop, their practises in their bloody Inquisition are abhorred by all sober people, that are not made drunk with the wine of the whore of *Babylons* fornications; few men of good temper and wisdom, do allow making war to propagate Religion: the zeal of Princes and Bishops, in persecuting Christians, adjudged heretiques by them, is censured as madness by well composed men. In the multitude of people is the Kings honour: but in the want of people is the destruction of the Prince, *Prov.* 14. 28. *Thou shalt not be joyed in burial, because thou hast destroyed thy land, and slain thy people, Isa.* 14. 20. Doubtless a Prince ought to be tender of his subjects, as of his children, and yet he may correct them, and though he be not to destroy those that remain infidel-idolaters, nor to force them to be Christians, yet he may have a power to govern in things spiritual. And this if wisely and uprightly managed, may be of great advantage to the Church of God, and is not to be

denied because he doth, much less because he may, or we are jealous he will abuse it. Thus much be said in answer to those Petitioners.

Afore the first sheet of this Supplement was printed off, I met with a little piece, intituled, *A caution to the sons of Zion*, by Samuel Hodgkin, in which he grants assertory oaths in judicial proceedings not to be forbidden by Christ, *Mat. 5. 34.* because commanded in the law of *Moses*, and overthrows the Quakers plea, that no swearing is lawful, yet denies any promissory oath lawful, and therefore in that respect opposeth the oaths of Allegiance and Supremacy, and saith he is imprisoned for that reason. In that book, he first excepts against the definition *Jeremiah Ives* gave of a sacred oath, that it is a bond by which a man binds his soul to the speaking of that which is in it self true, or the doing of that which is in it self lawful, unto which the living and true God is called to witness, *Numb. 30. 2.* To which Samuel Hodgkin saith, *To this I answer, That every sacred Oath by which God is called to witness to the truth of a thing, or to the performance of a lawful thing, is a bond whereby the soul is bound, but every calling God to witness in lawful things, is not an Oath. As appears thus, if a bare calling God to witness, be swearing by God, then calling the heaven and earth to witness, is swearing by heaven and earth, for then Moses had sworn by creatures, Deut. 4. 26. I call heaven and earth to witness against you this day; And so likewise God himself, in Deut. 30. 19. I call heaven and earth to record against you, chap. 31. 28. But it was ever unlawful to swear by creatures, therefore I conclude, that a bare calling to witness, is not swearing.*

I reply, The conclusion is granted, and yet the definition of *Jeremiah Ives* stands good, who did not say, that a bare calling to witness, is swearing, but calling God to witness to the speaking of that which is true. And this to be an oath is granted by Samuel Hodgkin himself, p. 16. when he saith, *That calling God to witness is not swearing; but when we read of the servants of the Lord swearing in Scripture, we find that it was not only a bare calling God to witness, but they swear by God, that they did speak the truth, or that they would do such a thing.* Now swearing by God at least in assertory oaths, can be no other then calling God to witness of the truth of that we speak, and in promissory of the truth of our intencion to perform what we say we will do. That which Samuel Hodgkin saith, *Now to swear by the Lord, is to say that they do speak*

Speak the truth, or will do such a thing by the Lord, as much as if they should say, that the Lord do help them in what they do, or that they do it by his assistance: And hence it comes to pass, that it was unlawful for a man to swear by any creature, because no creature can help him to speak the truth, or perform what he promised; and hence it is that God took it ill when they did not speak truth, because they did as much as say, that God did help them to speak a lie, and so they blasphemed the name of God in the highest nature; and doubtless, those that made the oath we have in our common Law, did understand no less, and therefore they charge the witness, By the help of God to speak the truth, is a manifest mistake of the meaning of the phrase [to swear by the Lord] which it seems he understands to signify, not only that he that swears calls God to be a witness of the truth of what he saith in assertory oaths, and of the truth of his intentions to perform what he saith in promissory oaths, but also, that he calls God to witness, that he speaks truth by his help, or God helping him to speak truth in assertory oaths, and that his intention is to perform what he promiseth, by Gods help or assistance. So that according to this mans conceits, it is no swearing, unless the person swearing do call God to be witness, not only of the truth of his words and intentions, but also of his acknowledging of Gods help in speaking truth in assertory oaths, and his expectation of Gods help to perform what he saith he will do in promissory; which is a new and wild conceit. New, for none, as far as I know, ever vented it before; but all Writers that I have met with, have made the calling of God to witness the truth of our speech in assertory oaths, and of our intentions to perform, what we say in promissory, without this addition of acknowledging, that it is by Gods help we speak truth, or of expectation of help from God to do, what we promise, to be swearing. And it is a wild conceit. For 1. It is frivolous to call God to witness, that he speaks truth by his help, or that he expects his help to do what he promiseth, it being impertinent to the occasion and end of swearing; the occasion of swearing being some uncertainty of the truth of his words and intentions, and the end to take away that, there is no question or controversie to be decided by whose help he speaks truth, nor by whose help he expects to perform what he promiseth. Every man knowes, that what is spoken or done, is by Gods help, else it could not be; but whether it be cer-

tainly true which he affirms, and his intentions true and real to perform, the consideration by whose help he speaks, or expects to do what he promiseth, is not at all required or minded by the exactor of the oath, as belonging to the oath, but the acknowledging that he speaks truth by Gods help, is only a duty of thankfulness, which is fittest to be done by the person swearing after the oath is taken, and the expectation of help from God to perform what he promises, is a duty of trust in God, or dependance on him to be done after the swearing. 2. If this were necessary to an oath, then he were forsworn or unsworn, that did not acknowledge, that he spake truth by Gods help, or did not depend on Gods help for performance of what he promised, and all infidels, hypocrites, Saints that neglect their duty herein, let their words or intentions be never so true, and their performance never so punctual and exact, should be perjured or unsworn. That which he alledgeth for this conceit, is frivolous. For the *unlawfulness of swearing by any creature, is not, because no creature can help him that swears to speak the truth, or performs what he promised; he that informs him of the truth, may help the swearer to speak truth, though he be a creature, and he that will aid him with money, &c. may help him to perform what he promised; but because God only is a witness of secret truths, and sincerity of intentions, and can only be his judge and avenger if he speak not truth, and therefore more fully oaths are expressed in such forms as these, God be my judge, witness, helper, &c. Nor is the reason, why God takes it ill that men swear falsely by his name, because it is as much as to say, that God did help them to speak a lie, for then in promissory oaths when they swear by God, he should take it ill if they do not perform their promise, because it is as much as to say, that God helps them to neglect their promise; which is a sense no swearer imagines his words bear, nor any reprover of perjury, did ever give as the reason of the iniquity of the breaker of his oath: but because he by false swearing shews he either believes not, or fears not Gods discovery, or avenging of his deceit. In the form of swearing in our common Law, *So help me God*, the words are not in the Indicative Mood, as if it were God doth help me, or will help me, but *ita me Deus adiuvet* in the Imperative or Potential, let God help me, may God help me, I pray or wish God may help me, or not according as I speak, truly or otherwise, nor is the charge given*

ven by the giver of the oath to the witness, by the help of God to speak truth, but he requires him to speak truth, as he expects help from God in other things, as his salvation, &c. When the swearer speaketh the words, it is his pawning his help he expects from God, as a voucher that he speaks truth; not an acknowledging he speaks truth by Gods helping him only in that act of speaking.

As for what he alledgeth out of *Dent. 4. 26. and 30. 13. and 31. 28.* to prove that *all calling to witness is not swearing*, it is granted him. I easily yield, that men and inanimate things may be taken to witness without swearing, as *Gen. 31. 48. Josh. 22. 34.* But nevertheless calling God to witness that we speak truth, or intend as we speak is swearing: Even as though such rhetorical speeches as are used, *Isa. 1. 2. Jer. 22. 29, &c.* are not prayers, or invitations to hear, yet the words of *Solomon, 1 Kin. 8. 28, 30.* are prayer, so though it be not swearing which is used, *Dent. 30. 19.* yet it is swearing which is used, *2 Cor. 1. 23.*

Another thing which *Samuel Hodgkin* affirms, is, *That all promissory oaths are forbidden by Christ, Mat. 5. 34. Jam. 5. 12. he grants assertory oaths not forbidden, because they were commanded in the old Testament, Exod. 22. 11. but denies promissory oaths to be lawful, because they are voluntary, and the occasion of the precept was about voluntary oaths, ver. 33. and therefore they are wholly forbidden, but not assertory. Whence he infers, that the Oaths of Allegiance and Supremacy, so far as they are promissory are forbidden.*

Concerning this opinion, I deny not, but that there are learned men that conceive, that promissory oaths of secular matters, especially of small moment, are forbidden, because of the occasion, *ver. 33.* of the prohibition, *Mat. 5. 34.* But if promissory oaths be forbidden universally, then the promissory oaths to the Lord are forbidden, and not only oaths of secular matters between man and man. And if all promissory oaths be forbidden, the swearing according to our common Law, not excepted against by *S. H.* should be unlawful. For thus usually is the witness sworn, *You shall make true answer to such questions as shall be demanded of you: You shall speak the truth, the whole truth, nothing but the truth.* The Jury thus, *You shall well and truly trie, and true deliverance make;* All which are requiring of a promise, and so exacting a promissory oath. But that promissory oaths are not universally forbidden, I

prove, 1. From 1 *Thes.* 5. 27. where the Apostle urgeth the *Thessalonians* thus, I adjure you by the Lord, that this Epistle be read to all the holy brethren. That this passage contains urging by oath, hath been proved before in my *Serious Consideration of the Oath of the Kings Supremacy*, and in this *Supplement* in my Reply to *Richard Hubberthorn* and *Samuel Fisher*. But this oath which he urgeth on them, was promissory, it being of a thing to be done by them, to wit, the reading of that Epistle to all the holy brethren. Whence I argue, That sort of oath by which Paul adjured, bound, or urged the *Thessalonians*, was lawful, else the Apostle would not have urged it, or them by it. But Paul adjured, bound by, or urged the *Thessalonians* by a promissory oath, therefore a promissory oath is lawful in the new Testament.

That which *Samuel Hodgkin* saith, That the Text speaks not a word of swearing, is not true, the word *ἐπιμαρτυροῦμαι* signifies I adjure, or urge you by oath, it is the same word that is used, *Mat.* 26. 63. which *Samuel Hodgkin* himself, p. 5. denies not to have been a charging Christ to swear by the living God, saving that *Mat.* 26. 63. it is the compound Verb, but 1 *Thes.* 5. 27. the simple.

But saith *Samuel Hodgkin*, were it not more reasonable to think, that if the *Thessalonians* did value Pauls charge, they would as soon have read this Epistle without swearing, as to be sworn to read it? For doubtless, if they had not valued his charging them to read it, they would not have valued his charging them to swear to read it.

I reply, Whether the *Thessalonians* did value Pauls charge or no, cannot be determined by us, but this we know, that adjuring or urging by oath, being a stricter bond, then urging to promise, or requiring without an oath, it may well be conceived, that the Apostle had reason to charge them by oath, and not barely to charge them without it.

2. I urge that passage, *Heb.* 6. 16. An oath for confirmation, is to men an end of all strife, of which *Samuel Hodgkin*, p. 8. grants, that it contains the end of oaths commanded, and so cannot in reason deny, that those oaths which are there meant, having the end of swearing are lawful. But that passage speaks of the end of promissory oaths, (for such was Gods oath, of which the Apostle there speaks, *ver.* 14. 15, 17.) and therefore they have the end of swearing to take away strife or contradiction, or doubt concerning mens intentions and purposes one to another, and so are for a necessary use, and consequently, lawful.

3. The

3. The Angels swearing, *Rev. 10. 6.* that there should be time no longer, was of a thing future, and therefore to be reduced to promissory oaths, if the division of oaths into assertory and promissory be full, it cannot be reduced to assertory oaths, therefore it must be reduced to promissory, and therefore promissory oaths are not wholly forbidden.

4. That which the Psalmist makes a property of one that was to dwell in Gods holy hill, *Psal. 15.* was moral, and so not unlawful, as abrogated in the new Testament, but when he saith, a person making a promissory oath is not to change, that is, not to neglect to keep it, *though it be to his own hurt*, he allows a promissory oath, as in some cases lawful.

5. Adde hereto, that a promissory oath if unlawful, is so, either because it is swearing, and then all swearing should be unlawful, contrary to the grant concerning assertory oaths, by *Samuel Hodgkin*, if as promissory, then all promises should be unlawful, and so all civil contracts unlawful, marriage, covenants, &c.

6. If no promissory oaths be lawful to a Christian, then a Christian Prince may not confirm a league with another Prince or State, nor any Magistrates, Officers of Justice, take promissory oaths, no Souldiers, no Trustees, Secretaries, &c. are to make promissory oaths of faithfulness, which would expose all affairs of government and trust, to such hazard and uncertainty, as would take away, as things and men are, much of that security men have in their affairs, and hasten the ruine of States.

That which *Samuel Hodgkin* saith, that *there is no command for promissory oaths*, is said without proof. For the precepts, *Dent. 6. 13. Dent. 10. 20. Jer. 4. 2.* do include promissory oaths, as well as assertory. As there is no difference made in the Text, so there is as much if not more likelihood, that promissory oaths should be chiefly meant, because the oaths of which we have examples in the old Testament, are most of them promissory.

'Tis true, *Mat. 5. 33.* speaks of promissory oaths, but that the prohibition, *ver. 34.* is limited to promissory, as forbidding them only, and not assertory, or forbidding promissory oaths universally, so as to allow none of that sort, is said without proof, and there is this in the text to shew, that it is meant not of those promissory oaths, which are meant, *ver. 33.* to wit, special voys to God; but of other oaths, whether promissory or assertory, which are

are in our ordinary speech, 1. That the forms of oaths, *by the heaven, by the earth, by Jerusalem, by the beard*, there expressed, are not used in special vows, but in common speech of one man with another, and most likely in customary, light, needless, passionate swearing. 2. The expression [*let your communication or speech*] notes their conference one with another. 3. And so do the terms, *yea and nay*, which are used most fitly in colloquies or speeches, wherein one answers another.



FINIS.

E. 1084

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A
Fannatick's Testimony
AGAINST
SWEARING;
Being An
ANSVVER
TO
FOUR BOOKS.

Published by
John Tombes, Jeremiah Ives, and Theophilus Brabourne;
But more especially to that by *Henry Den.*

By *HENRY ADIS*, a Baptized Believer, undergoing
the Name of a Free-Willer; and also most ignominiously
by the tongue of Infamy, called a *Fannatick*, or a *mad man*.

K

Above all things, my Brethren, Swear not, Jam. 5. 12.

For because of Swearing the Land mourneth, Jer. 23. 10.

But speak the Truth every man to his Neighbour-- Ephes. 4. 25.

*And lye not one to another, seeing ye have put off the old man with his
deeds, Col. 3. 9.*

*And so speak ye, and so do, as those that shall be judged by the Law of
Liberty, Jam. 2. 12.*

march. 2^d

L O N D O N,

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